



General Assembly

Bill No. 56

February Session, 2006

LCO No. 812

00812_____

Referred to Committee on Judiciary

Introduced by:

SEN. DELUCA, 32nd Dist.

REP. WARD, 86th Dist.

AN ACT CONCERNING THE REGISTRATION OF SEXUAL OFFENDERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-250 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 For the purposes of sections 54-102g and 54-250 to 54-258a,
4 inclusive, and sections 6, 7 and 12 of this act:

5 (1) "Conviction" means a judgment entered by a court upon a plea of
6 guilty, a plea of nolo contendere or a finding of guilty by a jury or the
7 court notwithstanding any pending appeal or habeas corpus
8 proceeding arising from such judgment.

9 (2) "Criminal offense against a victim who is a minor" means (A) a
10 violation of subdivision (2) of section 53-21 of the general statutes in
11 effect prior to October 1, 2000, subdivision (2) of subsection (a) of
12 section 53-21, subdivision (2) of subsection (a) of section 53a-70,
13 subdivision (1), (4), [or] (8) or (10) or subparagraph (B) of subdivision

14 (9) of subsection (a) of section 53a-71, subdivision (2) of subsection (a)
15 of section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,
16 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a, 53a-
17 196, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or 53a-196f, (B) a
18 violation of subparagraph (A) of subdivision (9) of subsection (a) of
19 section 53a-71 or section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-96
20 or 53a-186, provided the court makes a finding that, at the time of the
21 offense, the victim was under eighteen years of age, (C) a violation of
22 any of the offenses specified in subparagraph (A) or (B) of this
23 subdivision for which a person is criminally liable under section 53a-8,
24 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any
25 offense specified in subparagraph (A), (B) or (C) of this subdivision the
26 essential elements of which are substantially the same as said offense.

27 (3) "Identifying factors" means fingerprints, a photographic image,
28 and a description of any other identifying characteristics as may be
29 required by the Commissioner of Public Safety. The commissioner
30 shall also require a sample of the registrant's blood or other biological
31 sample be taken for DNA (deoxyribonucleic acid) analysis, unless such
32 sample has been previously obtained in accordance with section 54-
33 102g.

34 (4) "Mental abnormality" means a congenital or acquired condition
35 of a person that affects the emotional or volitional capacity of the
36 person in a manner that predisposes that person to the commission of
37 criminal sexual acts to a degree that makes the person a menace to the
38 health and safety of other persons.

39 (5) "Nonviolent sexual offense" means a violation of section 53a-73a
40 or a violation of section 53a-73a for which a person is criminally liable
41 under section 53a-8, 53a-48 or 53a-49.

42 (6) "Not guilty by reason of mental disease or defect" means a
43 finding by a court or jury of not guilty by reason of mental disease or
44 defect pursuant to section 53a-13 notwithstanding any pending appeal
45 or habeas corpus proceeding arising from such finding.

46 (7) "Personality disorder" means a condition as defined in the most
47 recent edition of the Diagnostic and Statistical Manual of Mental
48 Disorders, published by the American Psychiatric Association.

49 (8) "Registrant" means a person required to register under section
50 54-251, 54-252, 54-253 or 54-254, as amended by this act, or section 6 or
51 7 of this act.

52 (9) "Registry" means a central record system in this state, any other
53 state or the federal government that receives, maintains and
54 disseminates information on persons convicted or found not guilty by
55 reason of mental disease or defect of criminal offenses against victims
56 who are minors, nonviolent sexual offenses, sexually violent offenses,
57 [and] felonies found by the sentencing court to have been committed
58 for a sexual purpose, predatory sexual offenses against victims who
59 are minors and predatory sexual offenses against protected or other
60 persons.

61 (10) "Release into the community" means, with respect to a
62 conviction or a finding of not guilty by reason of mental disease or
63 defect of a criminal offense against a victim who is a minor, a
64 nonviolent sexual offense, a sexually violent offense or a felony found
65 by the sentencing court to have been committed for a sexual purpose,
66 (A) any release by a court after such conviction or finding of not guilty
67 by reason of mental disease or defect, a sentence of probation or any
68 other sentence under section 53a-28 that does not result in the
69 offender's immediate placement in the custody of the Commissioner of
70 Correction; (B) release from a correctional facility at the discretion of
71 the Board of Pardons and Paroles, by the Department of Correction to
72 a program authorized by section 18-100c or upon completion of the
73 maximum term or terms of the offender's sentence or sentences, or to
74 the supervision of the Court Support Services Division in accordance
75 with the terms of the offender's sentence; or (C) release from a hospital
76 for mental illness or a facility for persons with mental retardation by
77 the Psychiatric Security Review Board on conditional release pursuant

78 to section 17a-588 or upon termination of commitment to the
79 Psychiatric Security Review Board.

80 (11) "Sexually violent offense" means (A) a violation of section
81 53a-70, except subdivision (2) of subsection (a) of said section, 53a-70a,
82 53a-70b, 53a-71, except subdivision (1), (4), [or] (8) or (10) or
83 subparagraph (B) of subdivision (9) of subsection (a) of said section or
84 subparagraph (A) of subdivision (9) of subsection (a) of said section if
85 the court makes a finding that, at the time of the offense, the victim
86 was under eighteen years of age, 53a-72a, except subdivision (2) of
87 subsection (a) of said section, or 53a-72b, or of section 53a-92 or
88 53a-92a, provided the court makes a finding that the offense was
89 committed with intent to sexually violate or abuse the victim, (B) a
90 violation of any of the offenses specified in subparagraph (A) of this
91 subdivision for which a person is criminally liable under section 53a-8,
92 53a-48 or 53a-49, or (C) a violation of any predecessor statute to any of
93 the offenses specified in subparagraph (A) or (B) of this subdivision
94 the essential elements of which are substantially the same as said
95 offense.

96 (12) "Sexual purpose" means that a purpose of the defendant in
97 committing the felony was to engage in sexual contact or sexual
98 intercourse with another person without that person's consent. A
99 sexual purpose need not be the sole purpose of the commission of the
100 felony. The sexual purpose may arise at any time in the course of the
101 commission of the felony.

102 (13) "Employed" or "carries on a vocation" means employment that
103 is full-time or part-time for more than fourteen days, or for a total
104 period of time of more than thirty days during any calendar year,
105 whether financially compensated, volunteered or for the purpose of
106 government or educational benefit.

107 (14) "Student" means a person who is enrolled on a full-time or part-
108 time basis, in any public or private educational institution, including
109 any elementary, middle or high school, regional vocational-technical

110 school, charter school, secondary school, trade or professional
111 institution or institution of higher learning.

112 (15) "Predatory sexual offense against a victim who is a minor"
113 means a criminal offense against a victim who is a minor, a nonviolent
114 sexual offense, a sexually violent offense or a felony that the court
115 finds was committed for a sexual purpose, as provided in section 54-
116 254, as amended by this act, where (A) the victim of the offense was
117 thirteen years of age or younger at the time of the offense, or (B) the
118 victim was fourteen or fifteen years of age at the time of the offense
119 and the court has made a finding that the offense or offenses were
120 committed in a predatory manner.

121 (16) "Predatory sexual offense against a protected or other person"
122 means a nonviolent sexual offense, a sexually violent offense or a
123 felony that the court finds was committed for a sexual purpose, as
124 provided in section 54-254, as amended by this act, where (A) at the
125 time of the offense, the victim was sixty years of age or older, blind or
126 physically disabled, as defined in section 1-1f, or pregnant or was a
127 person with mental retardation, as defined in section 1-1g, and the
128 actor was not a person with mental retardation, or (B) the court has
129 made a finding that the offense or offenses were committed in a
130 predatory manner.

131 (17) "Transient" means a person who has no residence.

132 (18) "Residence" means a place where a person is living or staying
133 on a regular or temporary basis, such as a shelter or structure that can
134 be located by a street address, including, but not limited to, a house,
135 apartment building, motel, hotel, homeless shelter, recreational or
136 other vehicle and vessel.

137 Sec. 2. Section 54-251 of the general statutes is repealed and the
138 following is substituted in lieu thereof (*Effective July 1, 2006*):

139 (a) Any person who has been convicted or found not guilty by

140 reason of mental disease or defect of a criminal offense against a victim
 141 who is a minor or a nonviolent sexual offense, and is released into the
 142 community on or after October 1, 1998, shall, within three days
 143 following such release or, if such person is in the custody of the
 144 Commissioner of Correction, at such time prior to release as the
 145 commissioner shall direct, and whether or not such person's place of
 146 residence is in this state, register such person's name, identifying
 147 factors, criminal history record and residence address with the
 148 Commissioner of Public Safety, on such forms and in such locations as
 149 the commissioner shall direct, and shall maintain such registration for
 150 ten years, except that any person who has one or more prior
 151 convictions of any such offense, who is so ordered by the court or who
 152 is convicted of a violation of subdivision (2) of subsection (a) of section
 153 53a-70, or subdivision (1), (4), (8), (9) or (10) of subsection (a) of section
 154 53a-71, or section 53a-90a, 53a-196, 53a-196a or 53a-196b shall maintain
 155 such registration for life. Prior to accepting a plea of guilty or nolo
 156 contendere from a person with respect to a criminal offense against a
 157 victim who is a minor or a nonviolent sexual offense, the court shall (1)
 158 inform the person that the entry of a finding of guilty after acceptance
 159 of the plea will subject the person to the registration requirements of
 160 this section, and (2) determine that the person fully understands the
 161 consequences of the plea. If such person changes such person's name,
 162 such person shall, within five days, register the new name, in writing,
 163 with the Commissioner of Public Safety. If such person changes such
 164 person's address such person shall, within five days, register the new
 165 address in writing with the Commissioner of Public Safety, and, if the
 166 new address is in another state, such person shall also register with an
 167 appropriate agency in that state. [provided that state has a
 168 registration requirement for such offenders.] If any person who is
 169 subject to registration under this section is employed in another state,
 170 carries on a vocation in another state or is a student in another state,
 171 such person shall notify the Commissioner of Public Safety of such
 172 status and shall also register with an appropriate agency in that state.
 173 [provided that state has a registration requirement for such offenders.]

174 During such period of registration, each registrant shall complete and
175 return forms mailed to such registrant to verify such registrant's
176 residence address and shall submit to the retaking of a photographic
177 image upon request of the Commissioner of Public Safety. If any
178 person who is subject to registration under this section is employed at,
179 carries on a vocation at or is a student at a youth camp, as defined in
180 section 19a-420, a provider of child day care services, as defined in
181 section 19a-77, a public or private educational institution including an
182 elementary, middle or high school, a regional vocational-technical
183 school, a charter school or a secondary school, a trade or professional
184 institution or an institution of higher learning in this state, such person
185 shall notify the Commissioner of Public Safety of such status and of
186 any change in such status.

187 (b) Notwithstanding the provisions of subsection (a) of this section,
188 the court may exempt any person who has been convicted or found
189 not guilty by reason of mental disease or defect of a violation of
190 subdivision (1) of subsection (a) of section 53a-71 from the registration
191 requirements of this section if the court finds that such person was
192 under nineteen years of age at the time of the offense and that
193 registration is not required for public safety. If the court orders such an
194 exemption, it shall forward a copy of such order to the Commissioner
195 of Public Safety.

196 (c) Notwithstanding the provisions of subsection (a) of this section,
197 the court may exempt any person who has been convicted or found
198 not guilty by reason of mental disease or defect of a violation of
199 subdivision (2) of subsection (a) of section 53a-73a from the
200 registration requirements of this section if the court finds that
201 registration is not required for public safety. If the court orders such an
202 exemption, it shall forward a copy of such order to the Commissioner
203 of Public Safety.

204 (d) Any person who files an application with the court to be
205 exempted from the registration requirements of this section pursuant

206 to subsection (b) or (c) of this section shall, pursuant to subsection (b)
 207 of section 54-227, as amended, notify the Office of Victim Services and
 208 the Victim Services Unit within the Department of Correction of the
 209 filing of such application. The Office of Victim Services or the Victim
 210 Services Unit within the Department of Correction, or both, shall,
 211 pursuant to section 54-230, as amended, or 54-230a, as amended, notify
 212 any victim who has requested notification of the filing of such
 213 application. Prior to granting or denying such application, the court
 214 shall consider any information or statement provided by the victim.

215 (e) Any person who is convicted of a violation of any provision of
 216 subsection (a) of this section and has previously been convicted of a
 217 violation of said subsection shall maintain the registration required
 218 under this section for life.

219 ~~[(e)]~~ (f) Any person who violates the provisions of subsection (a) of
 220 this section shall be guilty of a class D felony.

221 Sec. 3. Section 54-252 of the general statutes is repealed and the
 222 following is substituted in lieu thereof (*Effective July 1, 2006*):

223 (a) Any person who has been convicted or found not guilty by
 224 reason of mental disease or defect of a sexually violent offense, and (1)
 225 is released into the community on or after October 1, 1988, and prior to
 226 October 1, 1998, and resides in this state, shall, on October 1, 1998, or
 227 within three days of residing in this state, whichever is later, or (2) is
 228 released into the community on or after October 1, 1998, shall, within
 229 three days following such release or, if such person is in the custody of
 230 the Commissioner of Correction, at such time prior to release as the
 231 commissioner shall direct, register such person's name, identifying
 232 factors, criminal history record, documentation of any treatment
 233 received for mental abnormality or personality disorder, and residence
 234 address with the Commissioner of Public Safety on such forms and in
 235 such locations as said commissioner shall direct, and shall maintain
 236 such registration for life. Prior to accepting a plea of guilty or nolo
 237 contendere from a person with respect to a sexually violent offense, the

238 court shall (A) inform the person that the entry of a finding of guilty
239 after acceptance of the plea will subject the person to the registration
240 requirements of this section, and (B) determine that the person fully
241 understands the consequences of the plea. If such person changes such
242 person's name, such person shall, within five days, register the new
243 name, in writing, with the Commissioner of Public Safety. If such
244 person changes such person's address such person shall, within five
245 days, register the new address in writing with the Commissioner of
246 Public Safety, and, if the new address is in another state, such person
247 shall also register with an appropriate agency in that state. [provided
248 that state has a registration requirement for such offenders.] If any
249 person who is subject to registration under this section is employed in
250 another state, carries on a vocation in another state or is a student in
251 another state, such person shall notify the Commissioner of Public
252 Safety of such status and shall also register with an appropriate agency
253 in that state. [provided that state has a registration requirement for
254 such offenders.] During such period of registration, each registrant
255 shall complete and return forms mailed to such registrant to verify
256 such registrant's residence address and shall submit to the retaking of
257 a photographic image upon request of the Commissioner of Public
258 Safety. If any person who is subject to registration under this section is
259 employed at, carries on a vocation at or is a student at a youth camp,
260 as defined in section 19a-420, a provider of child day care services, as
261 defined in section 19a-77, a public or private educational institution
262 including an elementary, middle or high school, a regional vocational
263 technical school, a charter school or a secondary school, a trade or
264 professional institution or an institution of higher learning in this state,
265 such person shall notify the Commissioner of Public Safety of such
266 status and of any change in such status.

267 (b) Any person who has been subject to the registration
268 requirements of section 54-102r of the general statutes, revised to
269 January 1, 1997, as amended by section 1 of public act 97-183, shall, not
270 later than three working days after October 1, 1998, register under this
271 section and thereafter comply with the provisions of sections 54-102g

272 and 54-250 to 54-258a, inclusive, as amended by this act, except that
 273 any person who was convicted or found not guilty by reason of mental
 274 disease or defect of an offense that is classified as a criminal offense
 275 against a victim who is a minor under subdivision (2) of section 54-250,
 276 as amended by this act, and that is subject to a ten-year period of
 277 registration under section 54-251, as amended by this act, shall
 278 maintain such registration for ten years.

279 [(c) Notwithstanding the provisions of subsections (a) and (b) of this
 280 section, during the initial registration period following October 1, 1998,
 281 the Commissioner of Public Safety may phase in completion of the
 282 registration procedure for persons released into the community prior
 283 to said date over the first three months following said date, and no
 284 such person shall be prosecuted for failure to register under this
 285 section during those three months provided such person complies
 286 with the directives of said commissioner regarding registration
 287 procedures.]

288 [(d)] (c) Any person who violates the provisions of this section shall
 289 be guilty of a class D felony.

290 Sec. 4. Section 54-253 of the general statutes is repealed and the
 291 following is substituted in lieu thereof (*Effective July 1, 2006*):

292 (a) Any person who has been convicted or found not guilty by
 293 reason of mental disease or defect in any other state, in a federal or
 294 military court or in any foreign jurisdiction of any crime [the essential
 295 elements of which are substantially the same as any of the crimes
 296 specified in subdivisions (2), (5) and (11) of section 54-250] that
 297 requires registration as a sexual offender in that other state, federal or
 298 military system or foreign jurisdiction and who [resides] will reside in
 299 this state on [and after October 1, 1998,] or after the effective date of
 300 this section, shall notify the Commissioner of Public Safety, in writing,
 301 not less than forty-eight hours prior to entering this state of such
 302 person's name and date of birth, the state, federal or military court or
 303 foreign jurisdiction in which such conviction or finding of not guilty by

304 reason of mental disease or defect occurred and the location where
 305 such person will reside in this state. Such person shall, within ten days
 306 of residing in this state, register with the Commissioner of Public
 307 Safety in the same manner as if such person had been convicted or
 308 found not guilty by reason of mental disease or defect of such crime in
 309 this state, except that [for purposes of determining the ten-year period
 310 of registration under section 54-251 such person shall be deemed to
 311 have initially registered on the date of such person's release into the
 312 community] the commissioner shall maintain such registration until
 313 such person is released from the registration requirements in such
 314 other state, federal or military system or foreign jurisdiction.

315 (b) Any person not a resident of this state who is registered as a
 316 sexual offender under the laws of any other state and who is employed
 317 in this state, carries on a vocation in this state or is a student in this
 318 state, shall notify the Commissioner of Public Safety, in writing, not
 319 less than forty-eight hours prior to entering this state of such person's
 320 name and date of birth, the state where such person is registered and
 321 the location in this state of such employment, vocation or education
 322 and shall, within five days after the commencement of such
 323 employment, vocation or education in this state, register such person's
 324 name, identifying factors [,] and criminal history record, locations
 325 [visited] such person visits on a recurring basis or such person's
 326 residence address, if any, in this state, and such person's residence
 327 address in such person's home state with the Commissioner of Public
 328 Safety on such forms and in such locations as said commissioner shall
 329 direct and shall maintain such registration until such employment,
 330 vocation or education terminates or until such person is released from
 331 registration as a sexual offender in such other state. If such person
 332 terminates such person's employment, vocation or education in this
 333 state or changes such person's address in this state such person shall,
 334 within five days, provide notice in writing to the Commissioner of
 335 Public Safety.

336 [(c) If any person who is subject to registration under this section is

337 employed at, carries on a vocation at or is a student at a trade or
338 professional institution or institution of higher learning in this state,
339 such person shall notify the Commissioner of Public Safety of such
340 status and of any change in such status.]

341 (c) If any person who is subject to subsection (a) or (b) of this section
342 changes such person's name, such person shall, within five days,
343 register the new name, in writing, with the Commissioner of Public
344 Safety. If any person who is subject to subsection (a) or (b) of this
345 section changes such person's address, such person shall, within five
346 days, register the new address, in writing, with the Commissioner of
347 Public Safety and, if the new address is in another state, such person
348 shall also register with an appropriate agency in that state. If any
349 person who is subject to registration under this section is employed in
350 another state, carries on a vocation in another state or is a student in
351 another state, such person shall notify the Commissioner of Public
352 Safety of such status and shall also register with an appropriate agency
353 in that state. During such period of registration, each registrant shall
354 complete and return forms mailed to such registrant to verify such
355 registrant's residence address and shall submit to the retaking of a
356 photographic image upon request of the Commissioner of Public
357 Safety. If any person who is subject to registration under this section is
358 employed at, carries on a vocation at or is a student at a youth camp,
359 as defined in section 19a-420, a provider of child day care services, as
360 defined in section 19a-77, a public or private educational institution
361 including, but not limited to, an elementary, middle or high school, a
362 regional vocational technical school, a charter school or a secondary
363 school, a trade or professional institution or an institution of higher
364 learning in this state, such person shall notify the Commissioner of
365 Public Safety, in writing, of such status and of any change in such
366 status.

367 (d) Any person who is convicted of a violation of any provision of
368 subsection (a), (b) or (c) of this section and who has previously been
369 convicted of a violation of any of said subsections shall maintain the

370 registration required under this section for life.

371 [(d)] (e) Any person not a resident of this state who is required to be
 372 registered as a sexual offender under the laws of any other state,
 373 federal or military system or foreign jurisdiction and who [travels in
 374 this state on a recurring basis for periods of less than five days] enters
 375 this state shall notify the Commissioner of Public Safety, in writing, not
 376 less than forty-eight hours prior to entering this state of the locations in
 377 this state to which such person will be traveling or at which such
 378 person will be lodging or the location of such person's temporary
 379 residence in this state, [and of] a telephone number at which such
 380 person may be contacted and any other information deemed necessary
 381 by the Commissioner of Public Safety.

382 [(e)] (f) Any person who violates the provisions of this section shall
 383 be guilty of a class D felony.

384 Sec. 5. Section 54-254 of the general statutes is repealed and the
 385 following is substituted in lieu thereof (*Effective July 1, 2006*):

386 (a) Any person who has been convicted or found not guilty by
 387 reason of mental disease or defect in this state on or after October 1,
 388 1998, of any felony that the court finds was committed for a sexual
 389 purpose, may be required by the court upon release into the
 390 community or, if such person is in the custody of the Commissioner of
 391 Correction, at such time prior to release as the commissioner shall
 392 direct to register such person's name, identifying factors, criminal
 393 history record and residence address with the Commissioner of Public
 394 Safety, on such forms and in such locations as the commissioner shall
 395 direct, and to maintain such registration for ten years. If the court finds
 396 that a person has committed a felony for a sexual purpose and intends
 397 to require such person to register under this section, prior to accepting
 398 a plea of guilty or nolo contendere from such person with respect to
 399 such felony, the court shall (1) inform the person that the entry of a
 400 finding of guilty after acceptance of the plea will subject the person to
 401 the registration requirements of this section, and (2) determine that the

402 person fully understands the consequences of the plea. If such person
403 changes such person's name, such person shall, within five days,
404 register the new name, in writing, with the Commissioner of Public
405 Safety. If such person changes such person's address such person shall,
406 within five days, register the new address in writing with the
407 Commissioner of Public Safety, and, if the new address is in another
408 state, such person shall also register with an appropriate agency in that
409 state. [, provided that state has a registration requirement for such
410 offenders.] If any person who is subject to registration under this
411 section is employed at, carries on a vocation at or is a student at a
412 youth camp, as defined in section 19a-420, a provider of child day care
413 services, as defined in section 19a-77, a public or private educational
414 institution, including, but not limited to, an elementary, middle or high
415 school, a regional vocational technical school, a charter school or a
416 secondary school, a trade or professional institution or an institution of
417 higher learning in this state, such person shall notify the
418 Commissioner of Public Safety, in writing, of such status and of any
419 change in such status. If any person who is subject to registration
420 under this section is employed in another state, carries on a vocation in
421 another state or is a student in another state, such person shall notify
422 the Commissioner of Public Safety of such status and shall also register
423 with an appropriate agency in that state. [, provided that state has a
424 registration requirement for such offenders.] During such period of
425 registration, each registrant shall complete and return forms mailed to
426 such registrant to verify such registrant's residence address and shall
427 submit to the retaking of a photographic image upon request of the
428 Commissioner of Public Safety.

429 (b) Any person who is convicted of a violation of subsection (a) of
430 this section and has previously been convicted of a violation of said
431 subsection (a) shall maintain the registration required under this
432 section for life.

433 ~~[(b)]~~ (c) Any person who violates the provisions of this section shall
434 be guilty of a class D felony.

435 Sec. 6. (NEW) (*Effective July 1, 2006*) (a) Any person who has been
436 convicted or found not guilty by reason of mental disease or defect of a
437 predatory sexual offense against a victim who is a minor, and is
438 released into the community on or after July 1, 2006, shall, not later
439 than three days after such release or, if such person is in the custody of
440 the Commissioner of Correction, at such time prior to release as the
441 commissioner shall direct, register such person's name, residence
442 address, identifying factors and criminal history record, the license
443 plate number and description of any vehicle owned or operated by
444 such person and information concerning any treatment received by
445 such person for a mental abnormality or personality disorder with the
446 Commissioner of Public Safety on such forms and in such locations as
447 said commissioner shall direct, and shall maintain such registration for
448 life. Prior to accepting a plea of guilty or nolo contendere from a
449 person with respect to a predatory sexual offense against a victim who
450 is a minor, the court shall (1) inform the person that the entry of a
451 finding of guilty after acceptance of the plea will subject the person to
452 the registration requirements of this section, and (2) determine that the
453 person fully understands the consequences of the plea. If such person
454 changes such person's name or the license plate number of a vehicle or
455 a vehicle owned or operated by such person, such person shall, within
456 five days, register the new name, license plate number or vehicle
457 information, in writing, with the Commissioner of Public Safety. If
458 such person changes such person's address, such person shall, within
459 five days, register the new address, in writing, with the Commissioner
460 of Public Safety and, if the new address is in another state, such person
461 shall also register with an appropriate agency in that state. If any
462 person who is subject to registration under this section is employed in
463 this or another state, carries on a vocation in this or another state or is a
464 student in this or another state, such person shall notify the
465 Commissioner of Public Safety, in writing, of such status and, if such
466 person is employed, carries on a vocation or is a student in another
467 state, shall also register with an appropriate agency in that state.
468 During such period of registration, each registrant shall complete and

469 return forms mailed to such registrant to verify such registrant's
470 residence address and shall submit to the retaking of a photographic
471 image upon request of the Commissioner of Public Safety. If any
472 person who is subject to registration under this section is employed at,
473 carries on a vocation at or is a student at a youth camp, as defined in
474 section 19a-420 of the general statutes, a provider of child day care
475 services, as defined in section 19a-77 of the general statutes, a public or
476 private educational institution including an elementary, middle or
477 high school, a regional vocational-technical school, a charter school, a
478 secondary school, a trade or professional institution or an institution of
479 higher learning in this state, such person shall notify the
480 Commissioner of Public Safety, in writing, of such status prior to the
481 commencement of such status and shall notify the Commissioner of
482 Public Safety, in writing, of any change in such status.

483 (b) Any person who violates the provisions of this section shall be
484 guilty of a class D felony.

485 Sec. 7. (NEW) (*Effective July 1, 2006*) (a) Any person who has been
486 convicted or found not guilty by reason of mental disease or defect of a
487 predatory sexual offense against a protected or other person, and is
488 released into the community on or after July 1, 2006, shall, not later
489 than three days after such release or, if such person is in the custody of
490 the Commissioner of Correction, at such time prior to release as the
491 commissioner shall direct, register such person's name, residence
492 address, identifying factors and criminal history record, the license
493 plate number and description of any vehicle owned or operated by
494 such person and information concerning any treatment received by
495 such person for a mental abnormality or personality disorder with the
496 Commissioner of Public Safety on such forms and in such locations as
497 said commissioner shall direct, and shall maintain such registration for
498 life. Prior to accepting a plea of guilty or nolo contendere from a
499 person with respect to a predatory sexual offense against a protected
500 or other person, the court shall (1) inform the person that the entry of a
501 finding of guilty after acceptance of the plea will subject the person to

502 the registration requirements of this section, and (2) determine that the
503 person fully understands the consequences of the plea. If such person
504 changes such person's name or the license plate number of or any
505 vehicle owned or operated by such person, such person shall, within
506 five days, register the new name, license plate number or vehicle
507 information, in writing, with the Commissioner of Public Safety. If
508 such person changes such person's address, such person shall, within
509 five days, register the new address, in writing, with the Commissioner
510 of Public Safety and, if the new address is in another state, such person
511 shall also register with an appropriate agency in that state. If any
512 person who is subject to registration under this section is employed in
513 this or another state, carries on a vocation in this or another state or is a
514 student in this or another state, such person shall notify the
515 Commissioner of Public Safety, in writing, of such status and, if such
516 person is employed, carries on a vocation or is a student in another
517 state, shall also register with an appropriate agency in that state.
518 During such period of registration, each registrant shall complete and
519 return forms mailed to such registrant to verify such registrant's
520 residence address and shall submit to the retaking of a photographic
521 image upon request of the Commissioner of Public Safety. If any
522 person who is subject to registration under this section is employed at,
523 carries on a vocation at or is a student at a youth camp, as defined in
524 section 19a-420 of the general statutes, a provider of child day care
525 services, as defined in section 19a-77 of the general statutes, a public or
526 private educational institution including an elementary, middle or
527 high school, a regional vocational technical school, a charter school, a
528 secondary school, a trade or professional institution or an institution of
529 higher learning in this state, such person shall notify the
530 Commissioner of Public Safety, in writing, of such status prior to the
531 commencement of such status and shall notify the Commissioner of
532 Public Safety, in writing, of any change in such status.

533 (b) Any person who violates the provisions of this section shall be
534 guilty of a class D felony.

535 Sec. 8. Section 54-255 of the 2006 supplement to the general statutes
536 is repealed and the following is substituted in lieu thereof (*Effective July*
537 *1, 2006*):

538 (a) Upon the conviction or finding of not guilty by reason of mental
539 disease or defect of any person for a violation of section 53a-70b, the
540 court may order the Department of Public Safety to restrict the
541 dissemination of the registration information to law enforcement
542 purposes only and to not make such information available for public
543 access, provided the court finds that dissemination of the registration
544 information is not required for public safety and that publication of
545 the registration information would be likely to reveal the identity of
546 the victim within the community where the victim resides. The court
547 shall remove the restriction on the dissemination of such registration
548 information if, at any time, the court finds that public safety requires
549 that such person's registration information be made available to the
550 public or that a change of circumstances makes publication of such
551 registration information no longer likely to reveal the identity of the
552 victim within the community where the victim resides. Prior to
553 ordering or removing the restriction on the dissemination of such
554 person's registration information, the court shall consider any
555 information or statements provided by the victim.

556 (b) Upon the conviction or finding of not guilty by reason of mental
557 disease or defect of any person of a criminal offense against a victim
558 who is a minor, a nonviolent sexual offense, [or] a sexually violent
559 offense, a predatory sexual offense against a victim who is a minor or a
560 predatory sexual offense against a protected or other person, where the
561 victim of such offense was, at the time of the offense, under eighteen
562 years of age and related to such person within any of the degrees of
563 kindred specified in section 46b-21, the court may order the
564 Department of Public Safety to restrict the dissemination of the
565 registration information to law enforcement purposes only and to not
566 make such information available for public access, provided the court
567 finds that dissemination of the registration information is not required

568 for public safety and that publication of the registration information
569 would be likely to reveal the identity of the victim within the
570 community where the victim resides. The court shall remove the
571 restriction on the dissemination of such registration information if, at
572 any time, it finds that public safety requires that such person's
573 registration information be made available to the public or that a
574 change in circumstances makes publication of the registration
575 information no longer likely to reveal the identity of the victim within
576 the community where the victim resides.

577 (c) Any person who: (1) Has been convicted or found not guilty by
578 reason of mental disease or defect of a violation of subdivision (1) of
579 subsection (a) of section 53a-71 between October 1, 1988, and June 30,
580 1999, and was under nineteen years of age at the time of the offense; (2)
581 has been convicted or found not guilty by reason of mental disease or
582 defect of a violation of subdivision (2) of subsection (a) of section 53a-
583 73a between October 1, 1988, and June 30, 1999; (3) has been convicted
584 or found not guilty by reason of mental disease or defect of a criminal
585 offense against a victim who is a minor, a nonviolent sexual offense or
586 a sexually violent offense, between October 1, 1988, and June 30, 1999,
587 where the victim of such offense was, at the time of the offense, under
588 eighteen years of age and related to such person within any of the
589 degrees of kindred specified in section 46b-21; (4) has been convicted
590 or found not guilty by reason of mental disease or defect of a violation
591 of section 53a-70b between October 1, 1988, and June 30, 1999; or (5)
592 has been convicted or found not guilty by reason of mental disease or
593 defect of any crime between October 1, 1988, and September 30, 1998,
594 which requires registration under sections 54-250 to 54-258a, inclusive,
595 and (A) served no jail or prison time as a result of such conviction or
596 finding of not guilty by reason of mental disease or defect, (B) has not
597 been subsequently convicted or found not guilty by reason of mental
598 disease or defect of any crime which would require registration under
599 sections 54-250 to 54-258a, inclusive, and (C) has registered with the
600 Department of Public Safety in accordance with sections 54-250 to 54-
601 258a, inclusive; may petition the court to order the Department of

602 Public Safety to restrict the dissemination of the registration
603 information to law enforcement purposes only and to not make such
604 information available for public access. Any person who files such a
605 petition shall, pursuant to subsection (b) of section 54-227, as amended,
606 notify the Office of Victim Services and the Victim Services Unit within
607 the Department of Correction of the filing of such petition. The Office
608 of Victim Services or the Victim Services Unit within the Department
609 of Correction, or both, shall, pursuant to section 54-230, as amended, or
610 54-230a, as amended, notify any victim who has requested notification
611 pursuant to subsection (b) of section 54-228, as amended, of the filing
612 of such petition. Prior to granting or denying such petition, the court
613 shall consider any information or statements provided by the victim.
614 The court may order the Department of Public Safety to restrict the
615 dissemination of the registration information to law enforcement
616 purposes only and to not make such information available for public
617 access, provided the court finds that dissemination of the registration
618 information is not required for public safety.

619 (d) Upon the granting of an order under this section, the court shall
620 forward a copy of such order to the Department of Public Safety.

621 Sec. 9. Section 54-256 of the general statutes is repealed and the
622 following is substituted in lieu thereof (*Effective July 1, 2006*):

623 (a) Any court, the Commissioner of Correction or the Psychiatric
624 Security Review Board, prior to releasing into the community any
625 person convicted or found not guilty by reason of mental disease or
626 defect of a criminal offense against a victim who is a minor, a
627 nonviolent sexual offense, a sexually violent offense, [or] a felony
628 found by the sentencing court to have been committed for a sexual
629 purpose, a predatory sexual offense against a victim who is a minor or
630 a predatory sexual offense against a protected or other person, except a
631 person being released unconditionally at the conclusion of such
632 person's sentence or commitment, shall require as a condition of such
633 release that such person complete the registration procedure

634 established by the Commissioner of Public Safety under sections 54-
635 251, 54-252 and 54-254, as amended by this act, and sections 6 and 7 of
636 this act. The court, the Commissioner of Correction or the Psychiatric
637 Security Review Board, as the case may be, shall provide the person
638 with a written summary of the person's obligations under sections 54-
639 102g and 54-250 to 54-258a, inclusive, as amended by this act, and
640 sections 6 and 7 of this act, and transmit the completed registration
641 package to the Commissioner of Public Safety who shall enter the
642 information into the registry established under section 54-257, as
643 amended by this act. If a court transmits the completed registration
644 package to the Commissioner of Public Safety with respect to a person
645 released by the court, such package need not include identifying
646 factors for such person. In the case of a person being released
647 unconditionally who declines to complete the registration package
648 through the court or the releasing agency, the court or agency shall: (1)
649 Except with respect to information that is not available to the public
650 pursuant to court order, rule of court or any provision of the general
651 statutes, provide to the Commissioner of Public Safety the person's
652 name, date of release into the community, anticipated residence
653 address, if known, criminal history record, any known treatment
654 history and any other relevant information; (2) inform the person that
655 such person has an obligation to register within three days with the
656 Commissioner of Public Safety for a period of ten years following the
657 date of such person's release or for life, as the case may be, and that if
658 such person changes such person's address such person shall within
659 five days register the new address in writing with the Commissioner of
660 Public Safety and, if the new address is in another state or if such
661 person is employed in another state, carries on a vocation in another
662 state or is a student in another state, such person shall also register
663 with an appropriate agency in that state; [provided that state has a
664 registration requirement for such offenders;] (3) provide the person
665 with a written summary of the person's obligations under sections
666 54-102g and 54-250 to 54-258a, inclusive, as amended by this act, and
667 sections 6 and 7 of this act, as explained to the person under

668 subdivision (2) of this section; and (4) make a specific notation on the
669 record maintained by that agency with respect to such person that the
670 registration requirements were explained to such person and that such
671 person was provided with a written summary of such person's
672 obligations under sections 54-102g and 54-250 to 54-258a, inclusive, as
673 amended by this act, and sections 6 and 7 of this act.

674 (b) Whenever a person is convicted or found not guilty by reason of
675 mental disease or defect of an offense that will require such person to
676 register under section 54-251, 54-252 or 54-254, as amended by this act,
677 or section 6 or 7 of this act, the court shall provide a written summary
678 of the offense that includes the age and sex of any victim of the offense
679 and a specific description of the offense. Such summary shall be added
680 to the registry information made available to the public through the
681 Internet.

682 Sec. 10. Section 54-257 of the general statutes is repealed and the
683 following is substituted in lieu thereof (*Effective July 1, 2006*):

684 (a) The Department of Public Safety shall [, not later than January 1,
685 1999, establish and] maintain a registry of all persons required to
686 register under sections 54-251, 54-252, 54-253 and 54-254, as amended
687 by this act, and sections 6 and 7 of this act. The department shall, in
688 cooperation with the Office of the Chief Court Administrator, the
689 Department of Correction and the Psychiatric Security Review Board,
690 develop appropriate forms for use by agencies and individuals to
691 report registration information, including changes of address. Upon
692 receipt of registration information, the department shall enter the
693 information into the registry and notify the local police department or
694 state police troop having jurisdiction where the registrant resides or
695 plans to reside. If a registrant notifies the Department of Public Safety
696 that such registrant is employed at, carries on a vocation at or is a
697 student at a trade or professional institution or institution of higher
698 learning in this state, the department shall notify the law enforcement
699 agency with jurisdiction over such institution. If a registrant reports a

700 residence in another state, the department shall notify the state police
701 agency of that state or such other agency in that state that maintains
702 registry information, if known. The department shall also transmit all
703 registration information, conviction data, photographic images and
704 fingerprints to the Federal Bureau of Investigation in such form as said
705 bureau shall require for inclusion in a national registry.

706 (b) The Department of Public Safety may suspend the registration of
707 any person registered under section 54-251, 54-252, 54-253 or 54-254, as
708 amended by this act, or section 6 or 7 of this act, while such person is
709 incarcerated, under civil commitment or residing outside this state and
710 shall suspend the registration of any person registered under any of
711 said sections when so ordered by the court in which such person was
712 convicted or found not guilty by reason of mental disease or defect.
713 During the period that such registration is under suspension, the
714 department is not required to verify the address of the registrant
715 pursuant to subsection (c) of this section and may withdraw the
716 registration information from public access. Upon the release of the
717 registrant from incarceration or civil commitment or resumption of
718 residency in this state by the registrant, the department shall reinstate
719 the registration, redistribute the registration information in accordance
720 with subsection (a) of this section and resume verifying the address of
721 the registrant in accordance with subsection (c) of this section.
722 Suspension of registration shall not affect the date of expiration of the
723 registration obligation of the registrant under section 54-251, 54-252 or
724 54-253, as amended by this act.

725 (c) Except as provided in subsection (b) of this section, the
726 Department of Public Safety shall verify the address of each registrant
727 by mailing by first class mail a nonforwardable verification form to the
728 registrant at the registrant's last reported address. Such form shall
729 require the registrant to sign a statement that the registrant continues
730 to reside at the registrant's last reported address and return the form
731 by mail by a date which is ten days after the date such form was
732 mailed to the registrant. The form shall contain a statement that failure

733 to return the form or providing false information is a violation of
734 section 54-251, 54-252, 54-253 or 54-254, as amended by this act, or
735 section 6 or 7 of this act, as the case may be. Each person required to
736 register under section 54-251, 54-252, 54-253 or 54-254, as amended by
737 this act, or section 6 or 7 of this act, shall have such person's address
738 verified in such manner every ninety days after such person's initial
739 registration date, except that any registrant claiming to be transient
740 shall verify such person's transient status thirty calendar days after the
741 date such registrant's initial written notice claiming to be transient was
742 received by the Department of Public Safety, and every thirty days
743 thereafter. Any registrant claiming to be transient shall mail a letter
744 containing the registrant's name and date of birth and a statement that
745 the registrant continues to be transient within a particular town in this
746 state and lists the locations, including the specific town, where the
747 registrant sleeps, eats, works, frequents and engages in leisure
748 activities. If such transient person changes such person's address or
749 transient locations, including changing or adding towns, such person
750 shall, within five days, register the new address or transient location in
751 writing with the Department of Public Safety and, if the new address
752 or transient location is in another state, such person shall also register
753 with an appropriate agency in that state. Any person who has reported
754 being transient to the Department of Public Safety who moves to a
755 residence shall notify the department within five days of such change
756 of address. Any registrant residing at an address who becomes
757 transient shall notify the Department of Public Safety, in writing,
758 within five days of commencing such transient status. In the event that
759 a registrant fails to return the address verification form or fails to
760 verify the registrant's transient status, the Department of Public Safety
761 shall notify the local police department or the state police troop having
762 jurisdiction over the registrant's last reported address or transient
763 location, and that agency shall apply for a warrant to be issued for the
764 registrant's arrest under section 54-251, 54-252, 54-253 or 54-254, as
765 amended by this act, or section 6 or 7 of this act, as the case may be.
766 The Department of Public Safety shall not verify the address of

767 registrants whose last reported address was outside this state.
768 Whenever mail is not delivered to a registrant's residence address due
769 to a restriction of the United States Postal Service, the Commissioner of
770 Public Safety may develop and implement procedures to verify the
771 address of such registrant.

772 (d) The Department of Public Safety shall retake the photographic
773 image of each registrant at least once every five years, except that the
774 department shall retake the photographic image of a registrant who
775 registered under section 6 or 7 of this act at least once each year.

776 (e) Whenever the Commissioner of Public Safety receives notice
777 from a superior court pursuant to section 52-11 or a probate court
778 pursuant to section 45a-99 that such court has ordered the change of
779 name of a person, and the department determines that such person is
780 listed in the registry, the department shall revise such person's
781 registration information accordingly.

782 Sec. 11. Section 54-258 of the general statutes is repealed and the
783 following is substituted in lieu thereof (*Effective July 1, 2006*):

784 (a) (1) Notwithstanding any other provision of the general statutes,
785 except subdivisions (3) and (4) of this subsection, the registry
786 maintained by the Department of Public Safety shall be a public record
787 and shall be accessible to the public during normal business hours. The
788 Department of Public Safety shall make registry information available
789 to the public through the Internet. Not less than once per calendar
790 quarter, the Department of Public Safety shall issue notices to all print
791 and electronic media in the state regarding the availability and means
792 of accessing the registry. Each local police department and each state
793 police troop shall keep a record of all registration information
794 transmitted to it by the Department of Public Safety, and shall make
795 such information accessible to the public during normal business
796 hours.

797 (2) Any state agency, the Judicial Department, any state police troop

798 or any local police department may, at its discretion, notify any
799 government agency, private organization or individual of registration
800 information when such agency, said department, such troop or such
801 local police department, as the case may be, believes such notification
802 is necessary to protect the public or any individual in any jurisdiction
803 from any person who is subject to registration under section 54-251,
804 54-252, 54-253 or 54-254, as amended by this act.

805 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
806 this subsection, state agencies, the Judicial Department, state police
807 troops and local police departments shall not disclose the identity of
808 any victim of a crime committed by a registrant or treatment
809 information provided to the registry pursuant to sections 54-102g and
810 54-250 to 54-258a, inclusive, as amended by this act, except to
811 government agencies for bona fide law enforcement or security
812 purposes.

813 (4) Notwithstanding the provisions of subdivisions (1) and (2) of
814 this subsection, registration information the dissemination of which
815 has been restricted by court order pursuant to section 54-255, as
816 amended by this act, and which is not otherwise subject to disclosure,
817 shall not be a public record and shall be released only for law
818 enforcement purposes until such restriction is removed by the court
819 pursuant to said section.

820 (5) When any registrant completes the registrant's term of
821 registration or is otherwise released from the obligation to register
822 under section 54-251, 54-252, 54-253 or 54-254, as amended by this act,
823 the Department of Public Safety shall notify any state police troop or
824 local police department having jurisdiction over the registrant's last
825 reported residence address that the person is no longer a registrant,
826 and the Department of Public Safety, state police troop and local police
827 department shall remove the registrant's name and information from
828 the registry.

829 (b) Neither the state nor any political subdivision of the state nor

830 any officer or employee thereof, shall be held civilly liable to any
831 registrant by reason of disclosure of any information regarding the
832 registrant that is released or disclosed in accordance with subsection
833 (a) of this section. The state and any political subdivision of the state
834 and, except in cases of wanton, reckless or malicious conduct, any
835 officer or employee thereof, shall be immune from liability for good
836 faith conduct in carrying out the provisions of subdivision (2) of
837 subsection (a) of this section.

838 (c) The court support services division of the Judicial Department
839 and the Department of Correction shall provide to the Department of
840 Public Safety, in written or electronic format, with respect to each
841 person required to register under section 54-251, 54-252, 54-253 or 54-
842 254, as amended by this act, or section 6 or 7 of this act, such person's
843 period of probation or parole, the name of the officer assigned to
844 supervise such person and contact information including a telephone
845 number for the office responsible for the supervision of such person.

846 Sec. 12. (NEW) (*Effective July 1, 2006*) (a) A person is guilty of aiding
847 a registrant in violation of registration requirements when such
848 person, having reasonable grounds to believe that a registrant, as
849 defined in section 54-250 of the general statutes, as amended by this
850 act, is in violation of the registration requirements under section 54-
851 251, 54-252, 54-253 or 54-254 of the general statutes, as amended by this
852 act, or section 6 or 7 of this act, and with intent to assist the registrant
853 in eluding a law enforcement officer in the investigation or
854 enforcement of such violation: (1) Withholds information from, or does
855 not notify, the law enforcement officer about the registrant's
856 noncompliance with the requirements of said sections and, if known,
857 the whereabouts of the registrant; (2) harbors, or attempts to harbor, or
858 assists another person in harboring or attempting to harbor, the
859 registrant; (3) conceals or attempts to conceal, or assists another person
860 in concealing or attempting to conceal, the registrant; (4) provides false
861 information, which such person knows not to be true, regarding the
862 registrant; (5) obstructs or hinders the law enforcement officer in the

863 performance of such officer's official duties relative to the investigation
864 or enforcement of such violation; or (6) falsely represents the registrant
865 by signing address verification forms or other official documentation
866 relative to the registration of sexual offenders.

867 (b) Aiding a registrant in violation of registration requirements is a
868 class D felony.

869 Sec. 13. Section 53-21 of the general statutes is repealed and the
870 following is substituted in lieu thereof (*Effective July 1, 2006*):

871 (a) Any person who (1) wilfully or unlawfully causes or permits any
872 child under the age of sixteen years to be placed in such a situation
873 that the life or limb of such child is endangered, the health of such
874 child is likely to be injured or the morals of such child are likely to be
875 impaired, or does any act likely to impair the health or morals of any
876 such child, or (2) has contact with the intimate parts, as defined in
877 section 53a-65, of a child under the age of sixteen years or subjects a
878 child under sixteen years of age to contact with the intimate parts of
879 such person, in a sexual and indecent manner likely to impair the
880 health or morals of such child, or (3) permanently transfers the legal or
881 physical custody of a child under the age of sixteen years to another
882 person for money or other valuable consideration or acquires or
883 receives the legal or physical custody of a child under the age of
884 sixteen years from another person upon payment of money or other
885 valuable consideration to such other person or a third person, except in
886 connection with an adoption proceeding that complies with the
887 provisions of chapter 803, shall be guilty of a class C felony for a
888 violation of subdivision (1) or (3) of this subsection and a class B felony
889 for a violation of subdivision (2) of this subsection, except that, if the
890 violation is of subdivision (2) of this subsection and the victim of the
891 offense is under thirteen years of age, such person shall be guilty of a
892 class A felony and sentenced to a term of imprisonment of twenty-five
893 years which may not be suspended or reduced by the court.

894 (b) The act of a parent or agent leaving an infant thirty days or

895 younger with a designated employee pursuant to section 17a-58 shall
896 not constitute a violation of this section.

897 Sec. 14. Section 53a-70 of the general statutes is repealed and the
898 following is substituted in lieu thereof (*Effective July 1, 2006*):

899 (a) A person is guilty of sexual assault in the first degree when such
900 person (1) compels another person to engage in sexual intercourse by
901 the use of force against such other person or a third person, or by the
902 threat of use of force against such other person or against a third
903 person which reasonably causes such person to fear physical injury to
904 such person or a third person, or (2) engages in sexual intercourse with
905 another person and such other person is under thirteen years of age
906 and the actor is more than two years older than such person, or (3)
907 commits sexual assault in the second degree as provided in section
908 53a-71 and in the commission of such offense is aided by two or more
909 other persons actually present, or (4) engages in sexual intercourse
910 with another person and such other person is mentally incapacitated to
911 the extent that such other person is unable to consent to such sexual
912 intercourse.

913 (b) (1) Except as provided in subdivision (2) of this subsection,
914 sexual assault in the first degree is a class B felony for which two years
915 of the sentence imposed may not be suspended or reduced by the
916 court. [or, if the victim of the offense is under ten years of age, for
917 which ten years of the sentence imposed may not be suspended or
918 reduced by the court.]

919 (2) Sexual assault in the first degree is a class A felony if the [offense
920 is a violation of subdivision (1) of subsection (a) of this section and the
921 victim of the offense is under sixteen years of age or the offense is a
922 violation of subdivision (2) of subsection (a) of this section. Any person
923 found guilty under said subdivision (1) or (2) shall be sentenced to a
924 term of imprisonment of which ten years of the sentence imposed may
925 not be suspended or reduced by the court if the victim is under ten
926 years of age or of which five years of the sentence imposed may not be

927 suspended or reduced by the court if the victim is under sixteen years
 928 of age] victim of the offense is under sixteen years of age and any
 929 person found guilty of such class A felony shall be sentenced to a term
 930 of imprisonment of which five years of the sentence imposed may not
 931 be suspended or reduced by the court, except that, if the victim of the
 932 offense is under thirteen years of age, such person shall be sentenced
 933 to a term of imprisonment of twenty-five years which may not be
 934 suspended or reduced by the court.

935 (3) [Any] Except as provided in subdivision (2) of this subsection, a
 936 person found guilty under this section shall be sentenced to a term of
 937 imprisonment and a period of special parole pursuant to subsection (b)
 938 of section 53a-28 which together constitute a sentence of at least ten
 939 years.

940 Sec. 15. Section 53a-71 of the general statutes is repealed and the
 941 following is substituted in lieu thereof (*Effective July 1, 2006*):

942 (a) A person is guilty of sexual assault in the second degree when
 943 such person engages in sexual intercourse with another person and: (1)
 944 Such other person is thirteen years of age or older but under sixteen
 945 years of age and the actor is more than two years older than such
 946 person; or (2) such other person is mentally defective to the extent that
 947 such other person is unable to consent to such sexual intercourse; or (3)
 948 such other person is physically helpless; or (4) such other person is less
 949 than eighteen years old and the actor is such person's guardian or
 950 otherwise responsible for the general supervision of such person's
 951 welfare; or (5) such other person is in custody of law or detained in a
 952 hospital or other institution and the actor has supervisory or
 953 disciplinary authority over such other person; or (6) the actor is a
 954 psychotherapist and such other person is (A) a patient of the actor and
 955 the sexual intercourse occurs during the psychotherapy session, (B) a
 956 patient or former patient of the actor and such patient or former
 957 patient is emotionally dependent upon the actor, or (C) a patient or
 958 former patient of the actor and the sexual intercourse occurs by means

959 of therapeutic deception; or (7) the actor accomplishes the sexual
 960 intercourse by means of false representation that the sexual intercourse
 961 is for a bona fide medical purpose by a health care professional; or (8)
 962 the actor is a school employee and such other person is a student
 963 enrolled in a school in which the actor works or a school under the
 964 jurisdiction of the local or regional board of education which employs
 965 the actor; or (9) the actor is a coach in an athletic activity or a person
 966 who provides intensive, ongoing instruction and such other person is a
 967 recipient of coaching or instruction from the actor and (A) is a
 968 secondary school student and receives such coaching or instruction in
 969 a secondary school setting, or (B) is under eighteen years of age; or (10)
 970 the actor is twenty years of age or older and stands in a position of
 971 power, authority or supervision over such other person by virtue of
 972 the actor's professional, legal, occupational or volunteer status and
 973 such other person's participation in a program or activity, and such
 974 other person is under eighteen years of age.

975 (b) [Sexual] (1) Except as provided in subdivisions (2) and (3) of this
 976 subsection, sexual assault in the second degree is a class C felony and
 977 any person found guilty of such class C felony shall be sentenced to a
 978 term of imprisonment of which nine months of the sentence imposed
 979 may not be suspended or reduced by the court. [or,]

980 (2) Sexual assault in the second degree is a class B felony if the
 981 victim of the offense is thirteen years of age or older but under sixteen
 982 years of age, [a class B felony,] and any person found guilty [under this
 983 section] of such class B felony shall be sentenced to a term of
 984 imprisonment of which nine months of the sentence imposed may not
 985 be suspended or reduced by the court.

986 (3) Sexual assault in the second degree is a class A felony if the
 987 victim of the offense is under thirteen years of age, and any person
 988 found guilty of such class A felony shall be sentenced to a term of
 989 imprisonment of twenty-five years which may not be suspended or
 990 reduced by the court.

991 Sec. 16. Section 53a-72a of the general statutes is repealed and the
992 following is substituted in lieu thereof (*Effective July 1, 2006*):

993 (a) A person is guilty of sexual assault in the third degree when
994 such person (1) compels another person to submit to sexual contact (A)
995 by the use of force against such other person or a third person, or (B)
996 by the threat of use of force against such other person or against a third
997 person, which reasonably causes such other person to fear physical
998 injury to himself or herself or a third person, or (2) engages in sexual
999 intercourse with another person whom the actor knows to be related to
1000 him or her within any of the degrees of kindred specified in section
1001 46b-21.

1002 (b) [Sexual] (1) Except as provided in subdivisions (2) and (3) of this
1003 subsection, sexual assault in the third degree is a class D felony. [or,]

1004 (2) Sexual assault in the third degree is a class C felony if the victim
1005 of the offense is thirteen years of age or older but under sixteen years
1006 of age. [, a class C felony.]

1007 (3) Sexual assault in the third degree is a class A felony if the victim
1008 of the offense is under thirteen years of age and any person found
1009 guilty of such class A felony shall be sentenced to a term of
1010 imprisonment of twenty-five years which may not be suspended or
1011 reduced by the court.

1012 Sec. 17. Section 53a-87 of the general statutes is repealed and the
1013 following is substituted in lieu thereof (*Effective July 1, 2006*):

1014 (a) A person is guilty of promoting prostitution in the second degree
1015 when [he] such person knowingly: (1) Advances or profits from
1016 prostitution by managing, supervising, controlling or owning, either
1017 alone or in association with others, a house of prostitution or a
1018 prostitution business or enterprise involving prostitution activity by
1019 two or more prostitutes; or (2) advances or profits from prostitution of
1020 a person less than eighteen years old.

1021 (b) [Promoting] (1) Except as provided in subdivision (2) of this
1022 subsection, promoting prostitution in the second degree is a class C
1023 felony.

1024 (2) Promoting prostitution in the second degree is a class A felony if
1025 the victim of the offense is under thirteen years of age and any person
1026 found guilty of such class A felony shall be sentenced to a term of
1027 imprisonment of twenty-five years which may not be suspended or
1028 reduced by the court.

1029 Sec. 18. Section 53a-196 of the general statutes is repealed and the
1030 following is substituted in lieu thereof (*Effective July 1, 2006*):

1031 (a) A person is guilty of obscenity as to minors when [he] such
1032 person knowingly promotes to a minor, for monetary consideration,
1033 any material or performance which is obscene as to minors.

1034 (b) For purposes of this section, "knowingly" means having general
1035 knowledge of or reason to know or a belief or ground for belief which
1036 warrants further inspection or inquiry as to (1) the character and
1037 content of any material or performance which is reasonably susceptible
1038 of examination by such person, and (2) the age of the minor.

1039 (c) In any prosecution for obscenity as to minors, it shall be an
1040 affirmative defense that the defendant made (1) a reasonable mistake
1041 as to age, and (2) a reasonable bona fide attempt to ascertain the true
1042 age of such minor, by examining a draft card, driver's license, birth
1043 certificate or other official or apparently official document, exhibited
1044 by such minor, purporting to establish that such minor was seventeen
1045 years of age or older.

1046 (d) [Obscenity] (1) Except as provided in subdivision (2) of this
1047 subsection, obscenity as to minors is a class D felony.

1048 (2) Obscenity as to minors is a class A felony if the victim of the
1049 offense is under thirteen years of age and any person found guilty of
1050 such class A felony shall be sentenced to a term of imprisonment of

1051 twenty-five years which may not be suspended or reduced by the
1052 court.

1053 Sec. 19. Section 53a-196a of the general statutes is repealed and the
1054 following is substituted in lieu thereof (*Effective July 1, 2006*):

1055 (a) A person is guilty of employing a minor in an obscene
1056 performance when [(1) he] such person (1) employs any minor,
1057 whether or not such minor receives any consideration, for the purpose
1058 of promoting any material or performance which is obscene as to
1059 minors, notwithstanding that such material or performance is intended
1060 for an adult audience, or (2) [he] permits any such minor to be
1061 employed, whether or not such minor receives any consideration, in
1062 the promotion of any material or performance which is obscene as to
1063 minors, notwithstanding that such material or performance is intended
1064 for an adult audience, and [he] such person is the parent or guardian
1065 of such minor or otherwise responsible for the general supervision of
1066 such minor's welfare.

1067 (b) Employing a minor in an obscene performance is a class A felony
1068 and any person found guilty under this section shall be sentenced to a
1069 term of imprisonment of twenty-five years which may not be
1070 suspended or reduced by the court.

1071 Sec. 20. Section 53a-196b of the general statutes is repealed and the
1072 following is substituted in lieu thereof (*Effective July 1, 2006*):

1073 (a) A person is guilty of promoting a minor in an obscene
1074 performance when [he] such person knowingly promotes any material
1075 or performance in which a minor is employed, whether or not such
1076 minor receives any consideration, and such material or performance is
1077 obscene as to minors notwithstanding that such material or
1078 performance is intended for an adult audience.

1079 (b) For purposes of this section, "knowingly" means having general
1080 knowledge of or reason to know or a belief or ground for belief which

1081 warrants further inspection or inquiry as to (1) the character and
1082 content of any material or performance which is reasonably susceptible
1083 of examination by such person, and (2) the age of the minor employed.

1084 (c) [Promoting] (1) Except as provided in subdivision (2) of this
1085 subsection, promoting a minor in an obscene performance is a class B
1086 felony.

1087 (2) Promoting a minor in an obscene performance is a class A felony
1088 if the victim of the offense is under thirteen years of age and any
1089 person found guilty of such class A felony shall be sentenced to a term
1090 of imprisonment of twenty-five years which may not be suspended or
1091 reduced by the court.

1092 Sec. 21. Section 53a-70a of the general statutes is repealed and the
1093 following is substituted in lieu thereof (*Effective July 1, 2006*):

1094 (a) A person is guilty of aggravated sexual assault in the first degree
1095 when such person commits sexual assault in the first degree as
1096 provided in section 53a-70, and in the commission of such offense (1)
1097 such person uses or is armed with and threatens the use of or displays
1098 or represents by such person's words or conduct that such person
1099 possesses a deadly weapon, (2) with intent to disfigure the victim
1100 seriously and permanently, or to destroy, amputate or disable
1101 permanently a member or organ of the victim's body, such person
1102 causes such injury to such victim, (3) under circumstances evincing an
1103 extreme indifference to human life such person recklessly engages in
1104 conduct which creates a risk of death to the victim, and thereby causes
1105 serious physical injury to such victim, or (4) such person is aided by
1106 two or more other persons actually present. No person shall be
1107 convicted of sexual assault in the first degree and aggravated sexual
1108 assault in the first degree upon the same transaction but such person
1109 may be charged and prosecuted for both such offenses upon the same
1110 information.

1111 (b) Aggravated sexual assault in the first degree is a class B felony

1112 or, if the victim of the offense is under sixteen years of age, a class A
 1113 felony. Any person found guilty under this section shall be sentenced
 1114 to a term of imprisonment of which five years of the sentence imposed
 1115 may not be suspended or reduced by the court, except that, if [such
 1116 person committed sexual assault in the first degree by violating
 1117 subdivision (1) of subsection (a) of section 53a-70, and] the victim of
 1118 the offense is under [sixteen] thirteen years of age, [twenty years of the
 1119 sentence imposed] such person shall be sentenced to a term of
 1120 imprisonment of twenty-five years which may not be suspended or
 1121 reduced by the court. Any person found guilty under this section shall
 1122 also be sentenced to a period of special parole pursuant to subsection
 1123 (b) of section 53a-28 of at least five years.

1124 Sec. 22. Section 53a-86 of the general statutes is repealed and the
 1125 following is substituted in lieu thereof (*Effective July 1, 2006*):

1126 (a) A person is guilty of promoting prostitution in the first degree
 1127 when [he] such person knowingly: (1) Advances prostitution by
 1128 compelling a person by force or intimidation to engage in prostitution,
 1129 or profits from coercive conduct by another; or (2) advances or profits
 1130 from prostitution of a person less than sixteen years old.

1131 (b) [Promoting] (1) Except as provided in subdivision (2) of this
 1132 subsection, promoting prostitution in the first degree is a class B
 1133 felony.

1134 (2) Promoting prostitution in the first degree is a class A felony if
 1135 the victim of the offense is under thirteen years of age and any person
 1136 found guilty of such class A felony shall be sentenced to a term of
 1137 imprisonment of twenty-five years which may not be suspended or
 1138 reduced by the court.

1139 Sec. 23. Section 53a-90a of the general statutes is repealed and the
 1140 following is substituted in lieu thereof (*Effective July 1, 2006*):

1141 (a) A person is guilty of enticing a minor when such person uses an

1142 interactive computer service to knowingly persuade, induce, entice or
 1143 coerce any person under sixteen years of age to engage in prostitution
 1144 or sexual activity for which the actor may be charged with a criminal
 1145 offense. For purposes of this section, "interactive computer service"
 1146 means any information service, system or access software provider
 1147 that provides or enables computer access by multiple users to a
 1148 computer server, including specifically a service or system that
 1149 provides access to the Internet and such systems operated or services
 1150 offered by libraries or educational institutions.

1151 (b) [Enticing] (1) Except as provided in subdivision (2) of this
 1152 subsection, enticing a minor is a class D felony for a first offense, a
 1153 class C felony for a second offense and a class B felony for any
 1154 subsequent offense.

1155 (2) Enticing a minor is a class A felony if the victim of the offense is
 1156 under thirteen years of age and any person found guilty of such class
 1157 A felony shall be sentenced to a term of imprisonment of twenty-five
 1158 years which may not be suspended or reduced by the court.

1159 Sec. 24. Section 53a-30 of the 2006 supplement to the general statutes
 1160 is repealed and the following is substituted in lieu thereof (*Effective July*
 1161 *1, 2006*):

1162 (a) When imposing sentence of probation or conditional discharge,
 1163 the court may, as a condition of the sentence, order that the defendant:
 1164 (1) Work faithfully at a suitable employment or faithfully pursue a
 1165 course of study or of vocational training that will equip the defendant
 1166 for suitable employment; (2) undergo medical or psychiatric treatment
 1167 and remain in a specified institution, when required for that purpose;
 1168 (3) support the defendant's dependents and meet other family
 1169 obligations; (4) make restitution of the fruits of the defendant's offense
 1170 or make restitution, in an amount the defendant can afford to pay or
 1171 provide in a suitable manner, for the loss or damage caused thereby
 1172 and the court may fix the amount thereof and the manner of
 1173 performance; (5) if a minor, (A) reside with the minor's parents or in a

1174 suitable foster home, (B) attend school, and (C) contribute to the
 1175 minor's own support in any home or foster home; (6) post a bond or
 1176 other security for the performance of any or all conditions imposed; (7)
 1177 refrain from violating any criminal law of the United States, this state
 1178 or any other state; (8) if convicted of a misdemeanor or a felony, other
 1179 than a capital felony, a class A felony or a violation of section 21a-278,
 1180 as amended, 21a-278a, 53a-55, 53a-56, 53a-56b, 53a-57, 53a-58 or 53a-
 1181 70b or any offense for which there is a mandatory minimum sentence
 1182 which may not be suspended or reduced by the court, and any
 1183 sentence of imprisonment is suspended, participate in an alternate
 1184 incarceration program; (9) reside in a residential community center or
 1185 halfway house approved by the Commissioner of Correction, and
 1186 contribute to the cost incident to such residence; (10) participate in a
 1187 program of community service labor in accordance with section 53a-
 1188 39c; (11) participate in a program of community service in accordance
 1189 with section 51-181c; (12) if convicted of a violation of subdivision (2)
 1190 of subsection (a) of section 53-21, section 53a-70, 53a-70a, 53a-70b, 53a-
 1191 71, 53a-72a or 53a-72b, undergo specialized sexual offender treatment;
 1192 (13) if convicted of a criminal offense against a victim who is a minor, a
 1193 nonviolent sexual offense, [or] a sexually violent offense, a predatory
 1194 sexual offense against a victim who is a minor or a predatory sexual
 1195 offense against a protected or other person, as defined in section 54-
 1196 250, as amended by this act, or of a felony that the court finds was
 1197 committed for a sexual purpose, as provided in section 54-254, as
 1198 amended by this act, register such person's identifying factors, as
 1199 defined in section 54-250, as amended by this act, with the
 1200 Commissioner of Public Safety when required pursuant to section 54-
 1201 251, 54-252 or 54-253, as amended by this act, as the case may be; (14)
 1202 be subject to electronic monitoring which may include the use of a
 1203 global positioning system; (15) if convicted of a violation of section
 1204 46a-58, as amended, 53-37a, 53a-181j, 53a-181k or 53a-181l, participate
 1205 in an anti-bias crime education program; (16) if convicted of a violation
 1206 of section 53-247, undergo psychiatric or psychological counseling or
 1207 participate in an animal cruelty prevention and education program

1208 provided such a program exists and is available to the defendant; or
 1209 (17) satisfy any other conditions reasonably related to the defendant's
 1210 rehabilitation. The court shall cause a copy of any such order to be
 1211 delivered to the defendant and to the probation officer, if any.

1212 (b) Notwithstanding the provisions of subsection (a) of this section,
 1213 when imposing sentence of probation or conditional discharge for any
 1214 violation of section 53a-70, 53a-70a, 53a-71, 53a-90a, 53a-196, 53a-196a
 1215 or 53a-196b, as amended by this act, the court shall, as a condition of
 1216 the sentence, order that the defendant be subject to electronic
 1217 monitoring which shall include the use of a global positioning system.

1218 [(b)] (c) When a defendant has been sentenced to a period of
 1219 probation, the Court Support Services Division may require that the
 1220 defendant comply with any or all conditions which the court could
 1221 have imposed under subsection (a) of this section or was required to
 1222 impose under subsection (b) of this section which are not inconsistent
 1223 with any condition actually imposed by the court.

1224 [(c)] (d) At any time during the period of probation or conditional
 1225 discharge, after hearing and for good cause shown, the court may
 1226 modify or enlarge the conditions, whether originally imposed by the
 1227 court under this section or otherwise, and may extend the period,
 1228 provided the original period with any extensions shall not exceed the
 1229 periods authorized by section 53a-29, as amended. The court shall
 1230 cause a copy of any such order to be delivered to the defendant and to
 1231 the probation officer, if any.

1232 [(d)] (e) The period of participation in an alternate incarceration
 1233 program, unless terminated sooner, shall not exceed the period of
 1234 probation authorized by section 53a-29, as amended, or two years,
 1235 whichever is less.

1236 [(e)] (f) The court may require that the person subject to electronic
 1237 monitoring pursuant to subsection (a) or (b) of this section pay directly
 1238 to the electronic monitoring service provider a fee for the cost of such

1239 electronic monitoring services. If the court finds that the person subject
1240 to electronic monitoring is indigent and unable to pay the costs of
1241 electronic monitoring services, it shall waive such costs. Any contract
1242 entered into by the judicial branch and the electronic monitoring
1243 service provider shall include a provision stating that the total cost for
1244 electronic monitoring services shall not exceed [five] six dollars per
1245 day. Such amount shall be indexed annually to reflect the rate of
1246 inflation.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2006	54-250
Sec. 2	July 1, 2006	54-251
Sec. 3	July 1, 2006	54-252
Sec. 4	July 1, 2006	54-253
Sec. 5	July 1, 2006	54-254
Sec. 6	July 1, 2006	New section
Sec. 7	July 1, 2006	New section
Sec. 8	July 1, 2006	54-255
Sec. 9	July 1, 2006	54-256
Sec. 10	July 1, 2006	54-257
Sec. 11	July 1, 2006	54-258
Sec. 12	July 1, 2006	New section
Sec. 13	July 1, 2006	53-21
Sec. 14	July 1, 2006	53a-70
Sec. 15	July 1, 2006	53a-71
Sec. 16	July 1, 2006	53a-72a
Sec. 17	July 1, 2006	53a-87
Sec. 18	July 1, 2006	53a-196
Sec. 19	July 1, 2006	53a-196a
Sec. 20	July 1, 2006	53a-196b
Sec. 21	July 1, 2006	53a-70a
Sec. 22	July 1, 2006	53a-86
Sec. 23	July 1, 2006	53a-90a
Sec. 24	July 1, 2006	53a-30

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]